Case 3:20-cv-06754-WHA Document 197-1 Filed 04/01/22 Page 1 of 4

| 1 2 3 4 5 6 | QUINN EMANUEL URQUHART & SULLIVA Charles K. Verhoeven (Bar No. 170151) charlesverhoeven@quinnemanuel.com Melissa Baily (Bar No. 237649) melissabaily@quinnemanuel.com Lindsay Cooper (Bar No. 287125) lindsaycooper@quinnemanuel.com 50 California Street, 22 nd Floor San Francisco, California 94111-4788 Telephone: (415) 875-6600 Facsimile: (415) 875-6700 | AN, LLP | |
|-------------|--|---|--|
| 7 | Attorneys for Google LLC | | |
| 8 | UNITED STATES DISTRICT COURT | | |
| 9 | NORTHERN DISTRICT OF CALIFORNIA | | |
| 10 | SAN FRANCISCO DIVISION | | |
| 11 | GOOGLE LLC, | CASE NO. 3:20-cv-06754-WHA Related to CASE NO. 3:21-cv-07559-WHA | |
| 12 | Plaintiff, | | |
| 13 | VS. | DECLARATION OF JOCELYN MA IN SUPPORT OF GOOGLE LLC'S | |
| 14 | SONOS, INC., | ADMINISTRATIVE MOTION TO SEAL PORTIONS OF ITS ANSWER TO SONOS, INC.'S AMENDED COUNTERCLAIMS | |
| 15 | Defendant. | INC. S AMENDED COUNTERCLAIMS | |
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| | | CASE NO. 3:20-cy-06754-WHA | |

DECLARATION OF JOCELYN MA

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27 28 I, Jocelyn Ma, declare and state as follows:

- 1. I am an attorney licensed to practice in the State of California and am admitted to practice before this Court. I am an associate at Quinn Emanuel Urquhart & Sullivan LLP representing Google LLC ("Google") in this matter. I have personal knowledge of the matters set forth in this Declaration, and if called as a witness I would testify competently to those matters.
- 2. I make this declaration in support of Google's Administrative Motion to File Under Seal Portions of its Answer to Sonos, Inc.'s ("Sonos") Amended Counterclaims ("Answer"). If called as a witness, I could and would testify competently to the information contained herein.
 - 3. Google seeks an order sealing the materials as listed below:

| Document | Portions to be Filed Under Seal | Designating Party |
|------------------------------|------------------------------------|-------------------|
| Google's Answer | Portions highlighted in green | Google |
| Exhibit 2 to Google's Answer | Entire Document | Google |
| Exhibit 3 to Google's Answer | Entire Document | Google |

- 4. The portions of Google's Answer highlighted in green contain confidential business information and terms to confidential agreements that are not public. Public disclosure of this information would harm Google's competitive standing and its ability to negotiate future agreements by giving competitors access to Google's highly confidential business thinking and asymmetrical information about Google's collaboration strategies to other entities. If such information were made public, I understand that Google's competitive standing would be significantly harmed. I also understand that a less restrictive alternative than sealing the green-highlighted portions of Google's Answer would not be sufficient because the information sought to be sealed is Google's proprietary and confidential business information but is necessary to the affirmative defenses in Google's Answer.
- 5. Exhibit 2 contains confidential business information and terms to confidential agreements that are not public. Public disclosure of this information would harm Google's competitive standing and its ability to negotiate future agreements by giving competitors access to

Google's highly confidential business thinking and asymmetrical information about Google's collaboration strategies to other entities. If such information were made public, I understand that Google's competitive standing would be significantly harmed. I also understand that a less restrictive alternative than sealing Exhibit 2 would not be sufficient because the information sought to be sealed is Google's proprietary and confidential business information but is necessary to the affirmative defenses in Google's Answer.

6. Exhibit 3 contains references to Google's confidential business information and trade secrets, including details regarding source code, architecture, and technical operation of Google's products and functionalities that Sonos accuses of infringement. The specifics of how these functionalities operate is confidential information that Google does not share publicly. Thus, public disclosure of such information could lead to competitive harm to Google as competitors could use these details regarding the architecture and functionality of Google's products to gain a competitive advantage in the marketplace with respect to their competing products. I also understand that a less restrictive alternative than sealing Exhibit 3 would not be sufficient because the information sought to be sealed is Google's confidential business information and trade secrets but is necessary to the affirmative defenses in Google's Answer.

I declare under penalty of perjury under the laws of the United States of America that to the best of my knowledge the foregoing is true and correct. Executed on April 1, 2022, in San Francisco, California.

DATED: April 1, 2022

By: /s/ Jocelyn Ma Jocelyn Ma

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| 1 | <u>ATTESTATION</u> |
|----|---|
| 2 | I, Charles K. Verhoeven, am the ECF user whose ID and password are being used to file the |
| 3 | above Declaration. In compliance with Civil L.R. 5-1, I hereby attest that Jocelyn Ma has concurred |
| 4 | in the aforementioned filing. |
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| 6 | DATED: April 1, 2022 |
| 7 | /s/ Charles K. Verhoeven |
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